

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:15-HC-2015-D

FRANKLIN ALMA,	)	
	)	
Petitioner,	)	
	)	
v.	)	<b>ORDER</b>
	)	
JUSTIN ANDREWS,	)	
	)	
Respondent.	)	

On October 29, 2015, Magistrate Judge Numbers issued a Memorandum and Recommendation (“M & R”) [D.E. 7]. In that M&R, Judge Numbers recommended that petitioner’s habeas petition [D.E. 1] be dismissed without prejudice. Petitioner has not filed any objections to the M&R, and the time for doing so has expired.

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alterations, emphasis and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond, 416 F.3d at 315 (quotation omitted).

Petitioner has filed no objections. The court has reviewed the M&R, the record, and the pleadings. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court ADOPTS the conclusions in the M&R [D.E. 7] and DISMISSES the complaint without prejudice. The clerk shall close the case.

SO ORDERED. This 15 day of December 2015.



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JAMES C. DEVER III

Chief United States District Judge